



**ORDINANCE BY COMMUNITY DEVELOPMENT/  
HUMAN RESOURCES COMMITTEE**

July 15, 2002

**02-0-1013**

**AUTHORIZING THE MAYOR TO GRANT A PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENT TO THE GEORGIA POWER COMPANY, FOR INSTALLATION AND MAINTENANCE OF NEW OUTDOOR LIGHTING AND NEW UNDERGROUND ELECTRICAL DISTRIBUTION SYSTEM SERVICES WITHIN PIEDMONT PARK, LOCATED IN LAND LOTS 54 AND 55 OF THE 17<sup>TH</sup> DISTRICT OF FULTON COUNTY, GEORGIA; THE PIEDMONT PARK CONSERVANCY, INC., ORGANIZATION WILL PAY ALL COSTS ASSOCIATED WITH THIS INSTALLATION AND MAINTENANCE SERVICES IN ACCORDANCE WITH THE PIEDMONT PARK MASTER PLAN, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS, BUEAU OF PARKS; AND FOR OTHER PURPOSES.**

**Whereas,** Georgia Power Company has requested a permanent construction and maintenance easement in the City's Piedmont Park, located in Land Lots 54 and 55 of the 17<sup>th</sup> District of Fulton County, Georgia for the installation and maintenance of new outdoor lighting and new underground electrical distribution system services within Piedmont Park; and

**Whereas,** Georgia Power Company is currently working with Piedmont Park Conservancy, Inc. to eliminate all overhead wires located in Piedmont Park and in accordance with the Piedmont Park Master Plan; it is desirable to install new outdoor lighting and to relocate all future electrical distribution system services underground in Piedmont Park; and

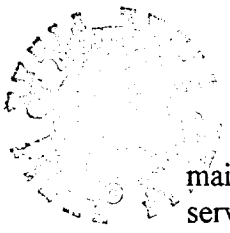
**Whereas,** Georgia Power Company is requesting this easement, so as to be able to service and maintain their equipment which will be installed in Piedmont Park; and

**Whereas,** Piedmont Park Conservancy, Inc. will be responsible for the payment of all costs (estimated at \$1,000,000.00) associated with this permanent construction and maintenance easement in accordance with the Piedmont Park Master Plan, once approval has been granted, at no cost to the City of Atlanta; and

**Whereas,** a permanent construction and maintenance easement is required to install the new outdoor lighting and new underground electrical distribution system in Piedmont Park located in Land Lots 54 and 55 of the 17<sup>th</sup> District of Fulton County, Georgia.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,**  
as follows:

**Section 1:** That the Mayor be and is hereby authorized to grant a permanent construction and maintenance easement to the Georgia Power Company for installation and



maintenance of new outdoor lighting and new underground electrical distribution system services in Piedmont Park located in Land Lots 54 and 55 of the 17<sup>th</sup> District of Fulton County, Georgia.

**Section 2:** That the Acting Commissioner of the Department of Parks, Recreation and Cultural Affairs acting as the Mayor's designee, is authorized to review and approve the terms and conditions of the permanent construction and maintenance easement as described and delineated on the drawing attached hereto as Exhibit "A", and made a part hereof by reference.

**Section 3:** That the Piedmont Park Conservancy, Inc. will be responsible for the payment of all costs (estimated at \$1,000,000.00) associated with this permanent construction and maintenance easement, at no cost to the City of Atlanta in accordance with the Piedmont Park Master Plan.

**Section 4:** That the City Attorney is hereby directed to review and approve the terms and conditions of the permanent construction and maintenance easement prior to execution by the Mayor.

**Section 5:** That all Ordinances and parts of Ordinances in conflict herewith be and the same hereby are repealed.

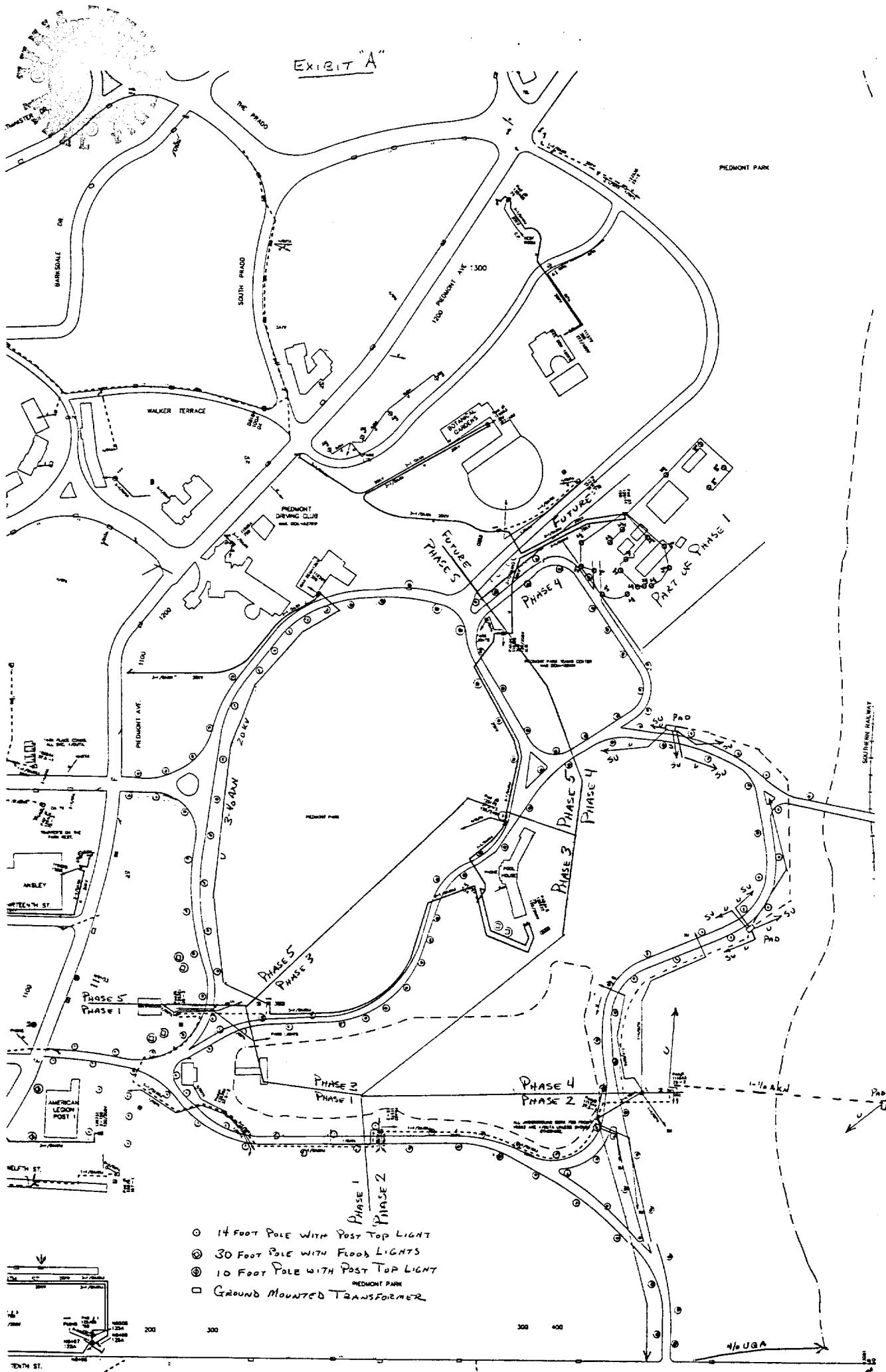
A true copy,

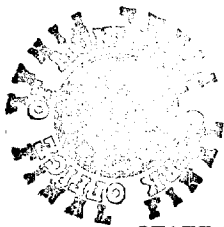
*Rhonda Daughkin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

JULY 01, 2002  
JULY 09, 2002

# EXHIBIT "A"





## Easement

STATE OF GEORGIA,

Name of Line. \_\_\_\_\_

Fulton

COUNTY

Account No. \_\_\_\_\_

Received of GEORGIA POWER COMPANY, hereinafter called the Company, the sum of One Dollar (\$1.00), in

consideration of which CITY OF ATLANTA (Undersigned) whose

Post Office Address is 55 TRINTY AVENUE, SW, ATLANTA, GEORGIA 30335

do(es) hereby grant and convey to said Company, its successors and assigns, the right, privilege and easement to go in, upon, along, across

and under that tract of land owned by the Undersigned in Land Lot(s) Number 54 AND 55

of the 17th Land District, Fulton County,

State of Georgia, known as 1275 PIEDMONT AVENUE(PIEDMONT PARK), ATLANTA, GEORGIA

(street address) and said lands being more particularly described on a plat marked "Exhibit A" attached hereto and made a part hereof,

together with the right to construct, operate, and maintain continuously upon and under said land, its lines for transmitting electric current, with poles, wires, transformers, service pedestals, and other necessary apparatus, fixtures and appliances, including the right to stretch communication wires on said poles, or under said lands with necessary appliances; with the right to permit the attachment of the wires and appliances of any other company, or person, to said poles; together with the right at all times to enter upon said premises for the purpose of inspecting said lines, making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom; together with the right to cut away and keep clear of said overhead or underground lines, transformers, fixtures and appliances, all trees and other obstructions that may in the opinion of the Company now or hereafter in any way interfere or be likely to interfere with the proper operation of said overhead or underground lines, transformers, fixtures, and appliances; also the right of ingress and egress over said land to and from said lines. Any timber cut on said land by or for said Company shall remain the property of the owner of said timber.

The undersigned does not convey any land, but merely grants the rights, privileges and easements hereinbefore set out.

Said Company shall not be liable for nor bound by any statement, agreement or understanding not herein expressed.

IN WITNESS WHEREOF, the said undersigned

has hereunto set its hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20 02

Signed, sealed and delivered in the presence of:

CITY OF ATLANTA

Witness

property owner's signature

(SEAL)

Notary Public

print name / title (if applicable)

(SEAL)

(This easement is to be signed in the presence of two (2) witnesses, one of whom must be a Notary Public.) Easement.doc



		07/01/02 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSE ON CONSENT AGENDA
1. 02-O-0718	34. 02-R-1074	39. 02-R-1076
2. 02-O-1021	35. 02-R-1075	40. 02-R-1077
3. 02-O-1022	36. 02-R-1124	41. 02-R-1078
4. 02-O-1119	37. 02-R-1125	42. 02-R-1079
5. 02-O-1142	38. 02-R-1126	43. 02-R-1080
6. 02-O-0602		44. 02-R-1081
7. 02-O-1013		45. 02-R-1082
8. 02-O-1148		46. 02-R-1083
9. 02-O-0864		47. 02-R-1084
10. 02-O-1017		48. 02-R-1085
11. 02-O-1020		49. 02-R-1086
12. 02-R-1143		50. 02-R-1087
13. 02-R-1104		51. 02-R-1088
14. 02-R-1120		52. 02-R-1089
15. 02-R-1121		53. 02-R-1090
16. 02-R-1122		54. 02-R-1091
17. 02-R-0470		55. 02-R-1092
18. 02-R-0810		56. 02-R-1093
19. 02-R-1182		57. 02-R-1094
20. 02-R-1118		58. 02-R-1095
21. 02-R-1146		59. 02-R-1096
22. 02-R-1177		60. 02-R-1097
23. 02-R-1179		61. 02-R-1098
24. 02-R-1101		62. 02-R-1099
25. 02-R-1102		63. 02-R-1127
26. 02-R-1103		64. 02-R-1128
27. 02-R-1145		65. 02-R-1129
28. 02-R-1134		66. 02-R-1130
29. 02-R-1135		67. 02-R-1131
30. 02-R-1136		68. 02-R-1132
31. 02-R-1176		69. 02-R-1133
32. 02-R-1072		
33. 02-R-1073		

02-0-1013

(Do Not Write Above This Line)

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ADOPTED BY

JUL 01 2002

COUNCIL

- ☒ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred 6/17/02

Referred To: Community Development / Human Resources  
Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED  
JUL 01 2002

ATLANTA CITY COUNCIL PRESIDENT

Calvin W. Woodard

CERTIFIED  
JUL 01 2002

Frank Benjamin Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION

Mayor's Signature

JUL - 9 2002

MAYOR